

## **REMARKS**

Claims 64 – 69, 71, 72, 74 – 77, 79, 80, 82, and 83 are pending. Claims 64 – 69, 71, 72, 74 – 77, 79, 80, 82, and 83 are presently rejected. By this Amendment, claim 74 has been amended, and claims 64 – 69, 71, and 72 have been cancelled. Claims 84 – 102 have been added. Examination and reconsideration of the claims in view of the following remarks are respectfully requested.

### **35 U.S.C. §112 Rejection**

Claims 64 – 69, 71, 72, 74 – 77, 79, 80, 82 and 83 stand rejected under 35 U.S.C. 112, first paragraph, “as failing to comply with the written description requirement.” See page 2 of Action. Particularly, the Examiner indicates on page 2 of the Action that “Applicant’s specification fails to disclose that the acceptance to join the cooperative gaming environment is received before establishing the at least one rule, and before commencing the cooperative game.” The Examiner further indicates on page 3 of the Action that

The descriptions of accepting to join the cooperative gaming environment or joining the cooperative gaming environment is directed to joining or accepting the cooperative game within the cooperative gaming environment. The player registers to participate in the cooperative gaming environment, but the player does not join the cooperative gaming environment before establishing the rules and before commencing the cooperative game. A player first registers to the cooperative gaming environment. After a player registers, at least one rule is established. After the at least one rule is established, the player can then accept to join the cooperative gaming environment when commencing the cooperative game. Therefore a registered player may not accept to participate in the cooperative gaming environment

Claims 64 – 69, 71, and 72 have been cancelled.

However, Applicant respectfully disagrees with the Examiner’s interpretation of elements “cooperative gaming environment” and “cooperative game.” It appears that the Examiner considers “cooperative gaming environment” equal to “cooperative game.”

By way of example, it is clear that paragraph [0064] indicates a gaming system polls a plurality of players at different gaming machines to determine “whether or not the player wishes to participate in the cooperative gaming environment.”

It is also clear that paragraph [0066] indicates the players are informed of the opportunity “to participate in a cooperative gaming environment,” and the players who “do not wish to join continue to play standard one on one player versus system games.” That is, a player can refuse to join in the cooperative gaming environment.

It is also clear from paragraph [0068] that “[once] all the players have registered for a cooperative gaming session in the cooperative gaming environment, the system 10 will establish rules for the session.” These rules include, for example, “what happens when someone wishes to exit the cooperative gaming environment,” and “whether all the players will play the one game or if it is merely a pooling of resources.” That is, after registering for the cooperative gaming environment, and before a game is played in cooperative gaming environment, rules are established.

Furthermore, it is clear from paragraph [0069] that, after the rules have been established, the players “are allowed a chance to continue to participate in the cooperative gaming environment.” Paragraphs [0072] to [0077] also indicate that “[once] a group of players have decided to participate in the cooperative gaming environment, the general environment need to be established... for example, the number of lines in a slot machine...” Thereafter, a game under the cooperative gaming environment starts.

Still furthermore, by way of example, Applicant would like to point to Figure 3 and the disclosure thereof in the Specification. After entering the cooperative gaming environment, rules are established. However, the game commences after the rules are established.

Therefore, claim 74, before and after the present amendment, and its dependent claims are clearly supported by the present Specification.

Withdrawal of the rejection is respectfully requested.

Claims 71, 72, 82, and 83 stand rejected under 35 U.S.C. 112, second paragraph, “as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.” See page 3 of Action. Particularly, the Examiner indicates on page 4 of the Action that “claims 71 and 82 incorporates [sic] the claim limitation of, ‘wherein the establishing of at least one rule includes changing the at least one rule,’” and indicates that “it is not clear how establishing the at least one rule includes changing the at least one rule.”

Claim 71 has been cancelled.

Claim 82 recites, among other things, “the game controller is further configured to allow changing the at least one rule.” Applicant respectfully submits that claim 82 is definite because the controller is capable of allowing rules to be changed, and therefore satisfies 35 U.S.C. 112, second paragraph.

The Examiner indicates on page 4 of the Action that “claims 72 and 83 incorporate the claim limitation of ‘presenting (to present in claim 83) another rule during the cooperative game.’”

Claim 72 has been cancelled.

Claim 83 recites, among other things, “the game controller is further configured to present another rule during the cooperative game.” Applicant respectfully submits that claim 83 is definite because the controller is capable of presenting another rule during the cooperative game,” and therefore satisfies 35 U.S.C. 112, second paragraph.

Withdrawal of the rejection is respectfully requested.

### **35 U.S.C. §103 Rejection**

Claims 64 – 69, 71, 72, 74 – 77, 79, 80, 82 and 83 stand rejected under 35 U.S.C. § 102(a) as being anticipated by U.S. Publication No. 2003/0064807 (“Walker”).

Claims 64 – 69, 71 and 72 have been cancelled.

Independent claim 74, as amended, is directed to a gaming system that includes a plurality of gaming machines. The system invites some of the machines to join a cooperative gaming environment. After accepting to join the environment, rules are established. Players are allowed to withdraw from the environment. A game commences thereafter. When a game is won, the amount won is allocated to a prize pool. A controller monitors a wager placed and a wager change in the game, or a machine's withdrawal from the environment which is also a change. At the occurrence of any change, a game that is already in progress is allowed to finish, and the win amount received thus far is recorded. The prize pool accumulated is distributed among the joined gaming machines based the placed wager and the win amount. Still furthermore, since data is only recorded in response to a change in the amount wagered or number of participating gaming machines being detected, the amount of data required to be communicated over the gaming network is kept to a minimum.

Applicant respectfully submits that claim 74 is non-obvious in view of Walker.

Rather, as indicated on page 6 of the Action, Walker “fails to explicitly disclose that the person is presented with an option on the gaming system to withdraw from the cooperative gaming environment.” Nor does Walker mention any distribution of any prize pool when a machine withdraws from the environment. Nor does Walker disclose any recordation in response to changes in wager and/or the number of gaming machines in the environment. Furthermore, Walker fails to disclose allowing player to finish a game in the environment when the changes are recorded.

Therefore, claim 74 is allowable.

Dependent claims 75 – 77, 79, 80, 82 and 83 are also allowable for at least the same reasons set forth above.

The newly added claims similarly track the allowable claim 74. Independent claims 84 and 95 recite that gaming machine operation is monitored to detect the occurrence of a change to at least one of an amount wagered and a number of gaming machines participating in the gaming environment; in response to detecting the change, recording a credit meter status and win amount

for each gaming machine since the last change; and determining a prize pool distribution amount based on the status and win amounts recorded for each gaming machine since joining the cooperative gaming environment. Thus, the system, as presently defined, provides a mechanism by which collective wins are fairly distributed among participants of a cooperative gaming environment, irrespective of when the participants enter or exit the environment. Further, since data is only recorded in response to a change in the amount wagered or number of participating gaming machines being detected, the amount of data required to be communicated over the gaming network is kept to a minimum. Supports can be found in paragraphs [0107] – [0109].

In contrast, Walker requires that a casino server is configured to track and store gambling results of group members in a group session database to evaluate whether the objectives have been achieved. See paragraphs 32, 105 and 106. More particularly, the casino server is configured to “store each and every outcome and payout amount of each player in a group engaged in active linked play session.” See paragraph 112. As will be appreciated by persons skilled in the art, this methodology results in a great deal of data being continuously sent over the gaming network in order to track group play, particularly where many gaming machines are participating.

Therefore, claims 84 and 95 are allowable for at least the same reasons set forth above with respect to claim 74. Similarly, dependent claims 85 – 94 and 96 – 102 are also allowable for at least the same reasons set forth above.

No new matter has been added.

**Conclusion**

Applicant respectfully submits that all of claims 64 – 69, 71, 72, 74 – 77, 79, 80, 82, and 84 – 102 are allowable. In the event that the Examiner believes a telephone interview with the undersigned Applicant's Representative would be helpful in advancing prosecution of this patent application, the undersigned is available for telephone consultation.

Respectfully submitted,

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